

REMARKS UNDER 37 C.F.R. 1.111

Reconsideration and allowance are respectfully requested.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

Claims 16, 25 and 30 have been amended as earlier suggested by the examiner.

Claim 46 points out the drum connected to the wheel and the twist-type brake control handle on the first handle bar, neither of which are found in the prior art and neither of which would have been obvious from the prior art. A twist handle controlling a drum brake is not found in or obvious from the prior art. Controlling a drum brake is not found in or obvious from the prior art.

Claim 47 points out the disc connected to the wheel and the twist-type brake control handle on the first handle bar, neither of which are found in the prior art and neither of which would have been obvious from the prior art.

Dependent claims add features neither found in nor obvious from the prior art.

It would not have been obvious to provide a twist-type brake control handle on a wheelbarrow handlebar.

The twist-type brake control provides complete control of the wheelbarrow without loosening a grip to apply a brake, either when going down a slope, when stopping on an upslope, when

stopping momentum of a fast moving loaded barrow, or when stopping the barrow to dump it.

Neither Miyazaki nor Krauer has a brake on the wheel which permits dumping while braking. Miyazaki mounts the brake cover 71 of the brake mechanism 70 on the speed reducer 50, Figure 8, column 12, lines 30, 31. Miyazaki locks the wheel tread to the frame, prohibiting lifting the frame without releasing the brake.

Claim 31 describes a wheelbarrow braking mechanism which uses a twist-type handle for operating the brake and controlling speed of the wheelbarrow. No reference shows or renders that structure obvious. Claims 32-45 depend from claim 31 and add other features neither found in nor suggested by the references.

Thus, there is no prima facie case of obviousness with respect to any of the claims.

Nothing in the references, either singly or in combination, teaches or suggests the claimed features. Therefore, the references cannot anticipate nor render obvious the present invention as claimed.

In deciding that a novel combination would have been obvious, there must be supporting teaching in the prior art. There is no suggestion or motivation in the prior art to combine the elements as done by the present invention and hence the claims cannot be rendered obvious. In re Newell, 13 USPQ 2d 1248, 1250 (CAFC, 1989).

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The

attached page is captioned "Version with markings to show changes made".

Since Applicant has presented a novel, unique and non-obvious invention, reconsideration and allowance are respectfully requested.

Respectfully,

A handwritten signature in cursive script, appearing to read 'JC Wray', is written over the typed name.

James C. Wray, Reg. No. 22,693
Meera P. Narasimhan, Reg. No. 40,252
1493 Chain Bridge Road
Suite 300
McLean, Virginia 22101
Tel: (703) 442-4800
Fax: (703) 448-7397

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 16, 17, 25, 30 and 31 have been amended as below:

16. (Amended) The system of claim [1] 46, wherein the cable is a steel brake cable.

25. (Amended) The system of claim 47, [wherein the disc brake assembly and] wherein the calipers further comprise a frame mounted caliper, wherein the disc is mounted on the wheel of the wheelbarrow, and wherein the caliper acts upon the disc for slowing the wheelbarrow by friction.

30. (Amended) The system of claim [29] 46, wherein the box has extensions for supporting the wheel, and wherein the control cable couples the control handle to the brake assembly for controlling a movement of the wheel.

31. (Amended) Wheelbarrow [B]braking apparatus comprising a wheelbarrow, a braking mechanism coupled to the wheelbarrow including a brake, a twist-type brake control handle on the wheelbarrow and a brake cable connecting the twist-type brake control handle and the brake, wherein the handle is twistable to a plurality of positions for controlling speeds of movement of [vehicles] the wheelbarrow coupled to the braking mechanism.